

Form 410

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

In re:

David E. Evans
Debtor(s)

Bankruptcy Case No.: 16-22820-CMB

Chapter: 13
Docket No.: 39 – 38
Concil. Conf.: October 12, 2017 at 09:00 AM

ORDER

WHEREAS, the Trustee filed and served a *Certificate of Default Requesting Dismissal of Case*, alleging that the Debtor(s) failed to make regular plan payments and are in material default under the plan,

IT IS HEREBY ORDERED that, on or before **September 5, 2017**, Debtor(s) must file *Documentary Proof of Payment* according to the accompanying *Instructions*, together with either:

1. a *Notarized Affidavit or Declaration* under penalty of perjury that states Debtor(s)' current mailing address and includes an explanation of Debtor(s)' failure to comply with the current plan payment and/or a statement setting forth why the Debtor(s) dispute the *Certificate of Default*;

OR

2. a *Notice of Proposed Modification to Confirmed Plan* and an *Amended Plan* to cure the plan defaults. Debtor(s) must make all plan payments in accordance with the *Amended Plan* pending its confirmation. If the Debtor(s) default on such plan payments, and if the Trustee moves for dismissal of this case, the case will be **DISMISSED**, without further notice or hearing.

IT IS FURTHER ORDERED that, if the Debtor(s) elect to file an *Amended Plan*, the Debtor(s) must immediately serve a copy of the *Notice of Proposed Modification to Confirmed Plan*, the *Amended Plan*, and the *Documentary Proof of Payment* on the Chapter 13 Trustee and all parties on the mailing matrix and file a *Certificate of Service* with the Clerk.

On or before **September 19, 2017**, if the Debtor(s) elect to file an *Amended Plan*, all *Objections* must be filed and served on the Debtor(s), Chapter 13 Trustee and any creditor whose claim is the subject of the *Objection*. Any creditor who files a timely *Objection* must appear at the scheduled Conciliation Conference. Untimely *Objections* will not be considered.

On **October 12, 2017 at 09:00 AM** a Conciliation Conference (on plan defaults or the *Amended Plan*) will occur with the Chapter 13 Trustee at 3251 U.S. Steel Tower, 600 Grant Street, Pittsburgh, PA 15219.

If the Parties cannot resolve all disputes at the Conciliation Conference, a hearing will be scheduled and orally announced at the conclusion of the Conference without any further written notice to any party. Parties are directed to monitor the Court's docket and read the Chapter 13 Trustee's minutes of the Conciliation conference to the extent such parties desire more information regarding the outcome of the Conciliation Conference.

This case will be **DISMISSED WITHOUT PREJUDICE** and no hearing or conference shall take place, unless the Debtor(s) comply fully with this *Order* by filing and serving all of the required items.

Dated: July 21, 2017

cm: All Creditors and Parties In Interest

Carlota M. Bohm
United States Bankruptcy Judge

INSTRUCTIONS FOR DOCUMENTARY PROOF OF PAYMENT

In response to the Trustee's *Certificate of Default Requesting Dismissal of Case*, Debtor(s) must file *Documentary Proof of Payment* that at least one full plan payment has been submitted to the Trustee since the Trustee filed and served the *Certificate of Default*.

The *Documentary Proof of Payment* must include a copy of a money order, cashier's check, earnings statement(s) or pay stub(s) showing payroll or benefit deduction(s) used to make the plan payment.

The *Documentary Proof of Payment* must also include a copy of the Trustee's printout of the Debtor(s)' payment history of receipts (available on the Trustee's website) indicating the amounts and dates of payments received by the Trustee.

Debtor(s)' case name and bankruptcy case number must be included on the payment.

The plan payment must be sent to the Chapter 13 Trustee's lock box bank account addressed to:

Ronda J. Winnecour, Trustee
P.O. Box 84051
Chicago, IL 60689-4002

Certificate of Notice Page 3 of 4
 United States Bankruptcy Court
 Western District of Pennsylvania

In re:
 David E. Evans
 Debtor

Case No. 16-22820-CMB
 Chapter 13

CERTIFICATE OF NOTICE

District/off: 0315-2

User: dsaw
 Form ID: 410

Page 1 of 2
 Total Noticed: 29

Date Rcvd: Jul 21, 2017

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Jul 23, 2017.

db
 14277315 +David E. Evans, 15 Nocklyn Drive, Pittsburgh, PA 15237-1855
 14277316 +AHN EMERGENCY GROUP, PO BOX 14099, Belfast, ME 04915-4034
 14277317 +ALLEGHENY CLINIC RADIOLOGY, PO BOX 1198, Somerset, PA 15501-0336
 14277318 +ALLEGHENY HEALTH NETWORK, PO BOX 645266, Pittsburgh, PA 15264-5250
 14341881 +AMERICAN EXPRESS, c/o ZWICKER & ASSOC. PC, 80 MINUTEMAN ROAD, Andover, MA 01810-1008
 14284884 +Adler Wallach & Associates, Inc., P.O. Box 6605, Orange, CA 92863-6605
 American Express Centurion Bank, c/o Becket and Lee LLP, PO Box 3001,
 Malvern PA 19355-0701
 14277320 +BANK OF AMERICA, C/O PHELAN HALLINAN & SCHMIEG, 1617 JFK BLVD, STE 1400,
 ONE PENN CENTER PLAZA, Philadelphia, PA 19103-1823
 14267227 +BANK OF AMERICA, C/OPHELAN HALLINAN & SCHMIEG, 1617 JFK BLVD, STE 1400,
 ONE PENN CENTER PLAZA, Philadelphia, PA 19103-1823
 14267226 +BANK OF AMERICA, 7105 CORPORATE DRIVE, Plano, TX 75024-4100
 14277321 BANK OF AMERICA DITECH, PO BOX 6172, Rapid City, SD 57709-6172
 14277324 +FIDELITY BANK, c/o ELAN FINANCIAL, PO BOX 790084, Saint Louis, MO 63179-0084
 14277325 HOME DEPOT CREDIT SERVICES, c/o CLIENT SERVICES INC., PO BOX 1503,
 Saint Peters, MO 63376-0027
 14277326 HSBC CARD SERVICES, PO BOX 19360, Salinas, CA 93901
 14277327 HSBC CARD SERVICES NV, PO BOX 19360, Salinas, CA 93901
 14277328 +JC CHRISTENSEN & ASSOC., PO BOX 519, Sauk Rapids, MN 56379-0519
 14330541 +MIDLAND FUNDING LLC, PO Box 2011, Warren, MI 48090-2011
 14277330 +NATIONAL CITY BANK, 4661 E MAIN STREET, Columbus, OH 43213-3193
 14277331 PEOPLE'S GAS, PO BOX 644760, Pittsburgh, PA 15264-4760
 14277332 +PGH MERCY HEALTH, 1200 REEDSDALE STREET, Pittsburgh, PA 15233-2109
 14339270 +Pinnacle Credit Services, LLC its successors and, assigns as assignee of US Bank NA ND,
 Resurgent Capital Services, PO Box 10587, Greenville, SC 29603-0587
 14277333 +ROSS/WEST VIEW EMSA, 5325 PERRYVILLE AVE, Pittsburgh, PA 15229-2198
 14277335 +TMOBILE, PO BOX 23870, Jacksonville, FL 32241-3870
 14341510 +Wilmington Savings Fund Society, FSB, c/o Rushmore Loan Management Services, P.O. Box 55004,
 Irvine, CA 92619-5004

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.

14274205 E-mail/PDF: EBN_AIS@AMERICANINFOSOURCE.COM Jul 22 2017 01:17:31
 American InfoSource LP as agent for, T Mobile/T-Mobile USA Inc, PO Box 248848,
 Oklahoma City, OK 73124-8848
 14277322 +E-mail/Text: hariasdiaz@creditmanagementcompany.com Jul 22 2017 01:14:32
 CREDIT MANAGEMENT COMPANY, PO BOX 16346, Pittsburgh, PA 15242-0346
 14277323 E-mail/Text: mrdiscen@discover.com Jul 22 2017 01:13:36 DISCOVER FINANCIAL, PO BOX 15316,
 Wilmington, DE 19850-5316
 14277329 +E-mail/Text: bankruptcydpt@mcmcg.com Jul 22 2017 01:14:08 MIDLAND FUNDING LLC,
 c/o CREDIT ONE BANK, 8875 AERO DRIVE, San Diego, CA 92123-2255
 14277336 +E-mail/Text: bknotices@mbandw.com Jul 22 2017 01:14:31 VERIZON,
 c/o MCCARTHY BURGESS & WOLFF INC., 26000 CANNON ROAD, Bedford, OH 44146-1807
 TOTAL: 5

***** BYPASSED RECIPIENTS (undeliverable, * duplicate) *****

cr
 14277334 Wilmington Savings Fund Society, FSB, d/b/a Christ
 SCOTT LIPCHAK
 14277319* +BANK OF AMERICA, 7105 CORPORATE DRIVE, Plano, TX 75024-4100

TOTALS: 2, * 1, ## 0

Addresses marked '+' were corrected by inserting the ZIP or replacing an incorrect ZIP.
 USPS regulations require that automation-compatible mail display the correct ZIP.

Transmission times for electronic delivery are Eastern Time zone.

I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed. R. Bank. P. 2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Jul 23, 2017

Signature: /s/Joseph Speetjens

District/off: 0315-2

User: dsaw
Form ID: 410

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Total Noticed: 29

Date Rcvd: Jul 21, 2017

CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on July 21, 2017 at the address(es) listed below:

James Warmbrodt on behalf of Creditor Wilmington Savings Fund Society, FSB, d/b/a Christiana Trust, not individually but as Trustee for Pretium Mortgage Acquisition Trust
bkgroup@kmlawgroup.com

Joshua I. Goldman on behalf of Creditor Wilmington Savings Fund Society, FSB, d/b/a Christiana Trust, not individually but as Trustee for Pretium Mortgage Acquisition Trust
bkgroup@kmlawgroup.com

Office of the United States Trustee ustpregion03.pi.ecf@usdoj.gov

Ronda J. Winnecour cmecf@chapter13trusteedpa.com

Russell A. Burdelski on behalf of Debtor David E. Evans atyrusb@choiceonemail.com

TOTAL: 5